

3rd Sub. H.B. 311
SOCIAL MEDIA USAGE AMENDMENTS

Senator **Michael K. McKell** proposes the following amendments:

1. *Page 9, Line 233 through Page 10, Line 242:*

233 **13-63-201. Social media platform design regulations -- Enforcement and auditing**

234 **authority -- Penalties.**

235 (1) **Beginning March 1, 2024:**

= (a) ~~{The}~~ **the** division shall administer and enforce the provisions of this section ~~{.}~~ **;**
and

236 (b) ~~{The}~~ **the** division may audit the records of a social media company in order to determine
237 compliance with the requirements of this section or to investigate a complaint, including a
238 random sample of a social media company's records and other audit methods.

239 (2) ~~{A}~~ **Beginning March 1, 2024, a** social media company shall not use a practice, design, or
feature on the

240 company's social media platform that the social media company knows, or which by the
241 exercise of reasonable care should know, causes a Utah minor account holder to have an
242 addiction to the social media platform.

2. *Page 12, Lines 312 through 317:*

312 A waiver or limitation, or a purported waiver or limitation, of any of the following is
313 void as unlawful, is against public policy, and a court or arbitrator may not enforce or give
314 effect to the waiver, notwithstanding any contract or choice-of-law provision in a contract:

315 (1) a protection or requirement provided under this chapter;

316 (2) the right to cooperate with the division or to file a complaint with the division; ~~{or}~~

317 (3) the right to a private right of action as provided under this chapter ~~{.}~~ **;**
(4) the right to recover actual damages, statutory damages, civil penalties, costs, or fees as allowed

by this chapter.